



United States
Department of
Agriculture

Food and
Nutrition
Service

Mountain
Plains
Region

1244 Speer Boulevard
Denver, CO 80204

AUG 30 1993

Reply to
Attn. of:

CACFP-361

Subject: Overnight Care in the Adult Day Care Component of the Child and Adult Care Food Program (CACFP)

To: STATE AGENCY DIRECTORS - Colorado DH, Iowa, Kansas, Missouri DH,
(Special Nutrition Programs) Montana DHES, Nebraska ED, North Dakota,
South Dakota, Utah and Wyoming ED

The Department has been made aware of otherwise eligible adult day care centers which also provide occasional overnight care for adults enrolled in their standard day care programs. The overnight care is provided so that the participant's family or other care givers may be freed from their care responsibilities for a period of time. The Department has been asked to consider whether these situations are consistent with the nonresidential nature of eligible centers envisioned in the statute.

The National Council on the Aging (NCOA) in Developing Adult Day Care, defines adult day care as an alternative to institutional care "...intended to help impaired adults and their families or other care givers to keep going a little longer." This definition is reflected in the intent expressed by Congress in passing the Older Americans Act Amendments of 1987 which define adult day care centers as those centers which provide services to individuals "...in a group setting outside their homes on a less than 24-hour basis..." In addition, in the Conference Report (H.R. 100-427) on those Amendments, Congress stated that the purpose of adult day care is to "...assist its participants to remain in the community, enabling families and other care givers to continue caring for an impaired individual at home." It is clear that Congress intended CACFP benefits to be available to serve those individuals who remain in the community and reside with family members or other care givers who would benefit from the respite which adult day care services could provide.

The Department believes that the occasional overnight care situations described above are consistent with the definition developed by NCOA and those centers envisioned by the Congress when it added adult day care to the CACFP. Therefore, the Department has concluded that in certain situations where overnight care is offered on an occasional basis, a center may be eligible for CACFP participation if the primary purpose of the center is to provide non-residential care. Such centers must be licensed to provide overnight care in addition to being licensed to provide non-residential care.

In summary, if an adult day care center meets the above-described understanding of eligible centers and persons enrolled in that center primarily reside with their families or elsewhere in a similar setting in the community, the center is eligible for the program and its enrollees are entitled to program benefits. As with other adult day care centers, such centers may claim reimbursement for up to three meals (of which one meal must be a snack) per participant per 24-hour period.

Ann C. Hector

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